



S.C. Department of Health and
Environmental Control

Bureau of Air Quality Title V Operating Permit

**Union Renewable Energy Facility
898 Wildcat Road
Enoree, South Carolina 29335
Union County**

In accordance with the provisions of the *Pollution Control Act*, Sections 48-1-50(5) and 48-1-110(a), the 1976 *Code of Laws of South Carolina*, as amended, and *South Carolina Regulation 61-62, Air Pollution Control Regulations and Standards*, the Bureau of Air Quality authorizes the operation of this facility and the equipment specified herein in accordance with valid construction permits, and the plans, specifications, and other information submitted in the Title V permit application received on September 18, 2015, as amended.

The operation of this facility is subject to and conditioned upon the terms, limitations, standards, and schedules contained herein or as specified by this permit and its accompanying attachments.

Permit Number: TV-2180-0044

Issue Date: DRAFT
Expiration Date: DRAFT

Effective Date: DRAFT
Renewal Due Date: DRAFT

**Director, Engineering Services Division
Bureau of Air Quality**

Union Renewable Energy Facility

TV-2180-0044

Page 2 of 16

RECORD OF REVISIONS		
Date	Type	Description of Change

AA Administrative Amendment

MM Minor Modification

SM Significant Modification

DRAFT

Union Renewable Energy Facility
TV-2180-0044
Page 3 of 16

A. EMISSION UNIT DESCRIPTION

Emission Unit ID	Emission Unit Description
01	Electric Power Generation

B EQUIPMENT AND CONTROL DEVICE(S)

B.1 EQUIPMENT FOR EMISSION UNIT ID 01 - LFG Treatment System

Equipment ID	Equipment Description	Installation Date/Modification Date	Control Device ID	Emission Point ID
EG01 & EG02	Two (2) Caterpillar G3520C landfill (2,242 hp each) gas fired internal combustion engines	January 9, 2015	None	ST01, ST02

C. LIMITATIONS, MONITORING AND REPORTING CONDITIONS
(S.C. Regulation 61-62.1, Section II; S.C. Regulation 61-62.70.6.a.3.i.B)

Condition Number	Condition
C.1	<p>Emission Unit ID: All</p> <p>Equipment/Control Device ID: All</p> <p>Equipment capacities provided under the Equipment Description column of the Equipment Tables above are not intended to be permit limits unless otherwise specified within the Table of Conditions for the particular equipment. However, this condition does not exempt the facility from the construction permitting process, from PSD review, nor from any other applicable requirements that must be addressed prior to increasing production rates.</p>
C.2	<p>Emission Unit ID: All</p> <p>Equipment/Control Device ID: All</p> <p>(S.C. Regulation 61-62.1, Section II.J.1.g) A copy of the Department issued construction and/or operating permit must be kept readily available at the facility at all times. The owner or operator shall maintain such operational records; make reports; install, use, and maintain monitoring equipment or methods; sample and analyze emissions or discharges in accordance with prescribed methods at locations, intervals, and procedures as the Department shall prescribe; and provide such other information as the Department reasonably may require. All records required to demonstrate compliance with the limits established under this permit shall be maintained on site for a period of at least 5 years from the date the record was generated and shall be made available to a Department representative upon request.</p>

Union Renewable Energy Facility
TV-2180-0044
Page 4 of 16

C. LIMITATIONS, MONITORING AND REPORTING CONDITIONS
(S.C. Regulation 61-62.1, Section II; S.C. Regulation 61-62.70.6.a.3.i.B)

Condition Number	Condition
C.3	<p>Emission Unit ID: 01</p> <p>Equipment/Control Device ID: EG01 & EG02</p> <p>For any source test required under an applicable standard or permit condition, the owner, operator, or representative shall comply with S.C. Regulation 61-62.1, Section IV - Source Tests.</p> <p>Unless approved otherwise by the Department, the owner, operator, or representative shall ensure that source tests are conducted while the source is operating at the maximum expected production rate or other production rate or operating parameter which would result in the highest emissions for the pollutants being tested. Some sources may have to spike fuels or raw materials to avoid being subjected to a more restrictive feed or process rate. Any source test performed at a production rate less than the rated capacity may result in permit limits on emission rates, including limits on production if necessary.</p> <p>The owner or operator shall comply with any limits that result from conducting a source test at less than rated capacity. A copy of the most recent Department issued source test summary letter, whether it imposes a limit or not, shall be maintained with the operating permit, for each source that is required to conduct a source test.</p> <p>Site-specific test plans and amendments, notifications, and source test reports shall be submitted to the Manager of the Source Evaluation Section, Bureau of Air Quality.</p>
C.4	<p>Emission Unit ID: 01</p> <p>Equipment/Control Device ID: EG01 & EG02</p> <p>(S.C. Regulation 61-62.5, Standard No. 5.2, Section III) The allowable discharge of NO_x resulting from each engine is Lean-Burn Technology or equivalent technology capable of achieving 1.25 gm/bhp-hr</p> <p>(S.C. Regulation 61-62.5, Standard No. 5.2, Section IV) The owner or operator shall perform tune-ups every twenty-four (24) months in accordance with manufacturer's specifications or with good engineering practices. The first tune-up shall be conducted no more than twenty-four (24) months from replacement of a burner assembly for affected existing sources. Each subsequent tune-up shall be conducted no more than twenty-four (24) months after the previous tune-up.</p> <p>All tune-up records are required to be maintained on site and available for inspection by the Department for a period of five (5) years from the date generated.</p> <p>The owner or operator shall develop and retain a tune-up plan on file.</p>

Union Renewable Energy Facility
TV-2180-0044
Page 5 of 16

C. LIMITATIONS, MONITORING AND REPORTING CONDITIONS
(S.C. Regulation 61-62.1, Section II; S.C. Regulation 61-62.70.6.a.3.i.B)

Condition Number	Condition
C.5	<p>Emission Unit ID: 01</p> <p>Equipment/Control Device ID: EG01 & EG02</p> <p>(S.C. Regulation 61-62.5, Standard No. 4, Section IX) Where construction or modification began after December 31, 1985, emissions from these sources (including fugitive emissions) shall not exhibit an opacity greater than 20%, each.</p> <p>The owner/operator shall perform a visual inspection on a semiannual basis during source operation. Logs shall be kept to record all visual inspections, noting color, duration, density (heavy or light), cause, and corrective action taken for any abnormal emissions. If a source did not operate during the required visual inspection time frame, the log shall indicate such. The owner/operator shall submit semiannual reports. The report shall include records of abnormal emissions, if any, and corrective actions taken. If the unit did not operate during the semiannual period, the report shall state so.</p> <p>Visual inspection means a qualitative observation of opacity during daylight hours. The observer does not need to be certified to conduct valid visual inspections. However, at a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, and observer position relative to lighting, wind, and the presence of uncombined water.</p> <p>These engines are permitted to burn only Landfill Gas as fuel. The use of any other substances as fuel is prohibited without prior written approval from the Department.</p>
C.6	<p>Emission Unit ID: 01</p> <p>Equipment/Control Device ID: EG01 & EG02</p> <p>This source is subject to New Source Performance Standards (NSPS), 40 CFR 60 Subpart A, General Conditions and Subpart JJJJ, Standards Of Performance For Stationary Spark Ignition Internal Combustion Engines, and S.C. Regulation 61-62.60 Subparts A and JJJJ, Standards Of Performance For Stationary Spark Ignition Internal Combustion Engines, as applicable. These sources shall comply with all applicable requirements of these Subpart A and JJJJ.</p> <p>(40 CFR §60.4233(e)) Emission Standards, owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE.</p>

Union Renewable Energy Facility
TV-2180-0044
Page 6 of 16

C. LIMITATIONS, MONITORING AND REPORTING CONDITIONS
(S.C. Regulation 61-62.1, Section II; S.C. Regulation 61-62.70.6.a.3.i.B)

Condition Number	Condition
	<p>(40 CFR §60.4234) Meeting the Emission Standards, owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in 40 CFR 60.4233 over the entire life of the engine.</p> <p>(CFR §60.4243(a)(2)(iii)) Compliance Requirements, the owner or operator of a stationary SI internal combustion engine greater than 500 HP, must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the owner/operator must conduct an initial performance test within 1 year of engine startup and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.</p> <p>(40 CFR §60.4244) Test Methods, the owner or operator must conduct performance tests as follows:</p> <p>(1) Must be conducted within 10% of 100% peak (or the highest achievable) load and according to the requirements in §60.8 and under the specific conditions that are specified by Table 2 to this subpart.</p> <p>(2) Cannot conduct performance tests during periods of startup, shutdown, or malfunction as specified in §60.8. If the engine is non-operational, the owner/operator does not need to startup the engine solely to conduct a performance test; however, conduct the performance test immediately upon startup of the engine.</p> <p>(3) Conduct 3 separate test runs for each performance test required, as specified in §60.8(f). Each test run must be conducted within 10% of 100% peak (or the highest achievable) load and last at least 1 hour.</p> <p>(4) Follow 40 CFR 60.4244 (d-g) to determine compliance with specific pollutants.</p> <p>(40 CFR §60.4245) Notification, Reports, And Records, the owner or operator must (1) Keep records of the following:</p> <ol style="list-style-type: none">1. All notifications submitted to comply with this subpart and all documentation supporting any notification.2. Maintenance conducted on the engine.3. If the engine is certified, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR Parts 90, 1048, 1054, and 1060, as applicable.4. If the engine is not certified or is a certified engine operating in a non-certified manner, documentation that the engine meets the emission standards.

Union Renewable Energy Facility
TV-2180-0044
Page 7 of 16

C. LIMITATIONS, MONITORING AND REPORTING CONDITIONS

(S.C. Regulation 61-62.1, Section II; S.C. Regulation 61-62.70.6.a.3.i.B)

Condition Number	Condition
	<p>(2) Engines greater than or equal to 500 HP that have not been certified by an engine manufacturer must submit an initial notification as required in §60.7(a)(1) and must include:</p> <ol style="list-style-type: none">1. Name and address of the owner/operator2. The address of the affected source3. Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement4. Emission control equipment5. Fuel used <p>(3) If subject to performance testing, submit a copy of each performance test within 60 days after the test has been completed.</p>

D. NESHAP PERIODIC REPORTING SCHEDULE SUMMARY

NESHAP Part	NESHAP Subpart	Compliance Monitoring Report Submittal Frequency	Reporting Period	Report Due Date
63	ZZZZ	Annual	January 1 through Dec 31	For annual reports, first report postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date.

1. This table summarizes only the periodic compliance reporting schedule. Additional reports may be required. See specific NESHAP Subpart for additional reporting requirements and associated schedule.
2. This reporting schedule does not supersede any other reporting requirements including but not limited to 40 CFR Part 60, 40 CFR Part 61, 40 CFR Part 63, and/or Title V. The MACT reporting schedule may be adjusted to coincide with the Title V reporting schedule with prior approval from the Department in accordance with 40 CFR Part 63.10.a.5. This request may be made 1 year after the compliance date for the associated MACT standard.

Union Renewable Energy Facility
TV-2180-0044
Page 8 of 16

E. NESHAP - CONDITIONS

Condition Number	Condition
E.1	All NESHAP notifications and reports shall be sent to the Manager of the Air Toxics Section, South Carolina Department of Health and Environmental Control - Bureau of Air Quality.
E.2	All NESHAP notifications and the cover letter to periodic reports shall be sent to the United States Environmental Protection Agency (US EPA) at the following address or electronically as required by the specific subpart: US EPA, Region 4 Air, Pesticides and Toxics Management Division 61 Forsyth Street SW Atlanta, GA 30303
E.3	Affected sources: All Stationary IC Engines: This facility is subject to the provisions of 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants, Subparts A and NESHAP for Stationary Reciprocating Internal Combustion Engines. Existing affected sources shall comply with the applicable provisions by the compliance date specified in Subpart ZZZZ. Any new affected sources shall comply with the requirements of this Subpart upon initial start-up unless otherwise noted.

F. COMPLIANCE SCHEDULE

Condition Number	Conditions
F.1	N/A

G. PERMIT SHIELD

Condition Number	Condition		
G.1	<p>(S.C. Regulation 61-62.70.6.f) A copy of the "applicability determination" submitted with the Part 70 permit application is included as Attachment – Applicable and Non-Applicable Federal and State Regulations. With the exception of those listed below, compliance with the terms and conditions of this permit shall be deemed compliance with the applicable requirements specified in Attachment – Applicable and Non-Applicable Federal and State Regulations as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in the permit. Exceptions to this are stated below in the <i>Permit Shield Exceptions</i> Table. The owner or operator shall also be shielded from the non-applicable requirements specified in Attachment – Applicable and Non-Applicable Federal and State Regulations. Exceptions to this are stated below in the <i>Permit Shield Exceptions</i> Table.</p> <table><tr><th>Permit Shield Exceptions</th></tr><tr><td>40 CFR 60 Subpart A, General Provisions</td></tr></table>	Permit Shield Exceptions	40 CFR 60 Subpart A, General Provisions
Permit Shield Exceptions			
40 CFR 60 Subpart A, General Provisions			

Union Renewable Energy Facility

TV-2180-0044

Page 9 of 16

G. PERMIT SHIELD

Condition Number	Condition
	40 CFR Part 63 Subpart A, General Provisions
	40 CFR Part 63, All Subparts
	40 CFR Part 61, All Subparts
	SC Regulation 61-62.63 All Subparts
	SC Regulation 61-62.61 All Subparts
	SC Regulation 61-62.5, Standard No. 7, Prevention of Significant Deterioration
	SC Regulation 61-62.5, Standard No. 7(c), Ambient Air Increments
	SC Regulation 61-62.5, Standard No. 7.1, Nonattainment New Source Review
<p>Nothing in the permit shield or in any Part 70 permit shall alter or affect the provisions of Section 303 of the Act, Emergency Orders, of the Clean Air Act; the liability of the owner or operator for any violation of applicable requirements prior to or at the time of permit issuance; the applicable requirements of the Acid Rain Program, consistent with Section 408.a of the Clean Air Act; or the ability of US EPA to obtain information from a source pursuant to Section 114 of the Clean Air Act. In addition, the permit shield shall not apply to emission units in noncompliance at the time of permit issuance, minor permit modifications (S.C. Regulation 61-62.70.7.e.2), group processing of minor permit modifications (S.C. Regulation 61-62.70.7.e.3), or operational flexibility (S.C. Regulation 61-62.70.7.e.5.i), except as specified in S.C. Regulation 61-62.70.7.e.5.iii.</p>	

H. PERMIT FLEXIBILITY

Condition Number	Conditions
H.1	The facility may install, remove, and modify insignificant activities as defined in S.C. Regulation 61-62.70.5.c and exempt sources as listed in S.C. Regulation 61-62.1, Section II.B, without revising or reopening the Title V Operating Permit. A list of insignificant activities/exempt sources must be maintained on site, along with any necessary documentation to support the determination that the activity is insignificant and/or exempt, and shall be made available to a Department representative upon request. The list shall be submitted with the next renewal application.

Union Renewable Energy Facility

TV-2180-0044

Page 10 of 16

I. AMBIENT AIR STANDARDS REQUIREMENTS

Condition Number	Condition
I.1	<p>Air dispersion modeling (or other method) has demonstrated that this facility's operation will not interfere with the attainment and maintenance of any state or federal ambient air standard. Any changes in the parameters used in this demonstration may require a review by the facility to determine continuing compliance with these standards. These potential changes include any decrease in stack height, decrease in stack velocity, increase in stack diameter, decrease in stack exit temperature, increase in building height or building additions, increase in emission rates, decrease in distance between stack and property line, changes in vertical stack orientation, and installation of a rain cap that impedes vertical flow. Parameters that are not required in the determination will not invalidate the demonstration if they are modified. The emission rates used in the determination are listed in Attachment - Emission Rates for Ambient Air Standards of this permit. Higher emission rates may be administratively incorporated into Attachment - Emission Rates for Ambient Air Standards of this permit provided a demonstration using these higher emission rates shows the attainment and maintenance of any state or federal ambient air quality standard or with any other applicable requirement. Variations from the input parameters in the demonstration shall not constitute a violation unless the maximum allowable ambient concentrations identified in the standard are exceeded.</p> <p>The owner/operator shall maintain this facility at or below the emission rates as listed in Attachment - Emission Rates for Ambient Air Standards, not to exceed the pollutant limitations of this permit. Should the facility wish to increase the emission rates listed in Attachment - Emission Rates for Ambient Air Standards, not to exceed the pollutant limitations in the body of this permit, it may do so by the administrative process specified above. This is a State Only enforceable requirement.</p>

J. TITLE V PERIODIC REPORTING SCHEDULE

Compliance Monitoring Report Submittal Frequency	Reporting Period (Begins on the effective date of the permit)	Report Due Date
Quarterly	January-March April-June July-September October-December	April 30 th July 30 th October 30 th January 30 th
Semiannual	January-June April-September July-December October-March	July 30 th October 30 th January 30 th April 30 th

Note: This reporting schedule does not supersede any Federal reporting requirements including but not limited to 40 CFR Part 60, 40 CFR Part 61, and 40 CFR Part 63. All Federal reports must meet the reporting time frames specified in the Federal standard unless the Department or EPA approves a change.

Union Renewable Energy Facility
TV-2180-0044
Page 11 of 16

K. TITLE V COMPLIANCE CERTIFICATION REPORTING SCHEDULE

Title V Compliance Certification Submittal Frequency	Reporting Period (Begins on the effective date of the permit)	Report Due Date
Annual	January-December April-March July-June October-September	February 14 th May 15 th August 14 th November 14 th

L. TITLE V RECORD KEEPING AND REPORTING REQUIREMENTS

Condition Number	Condition
L.1	Reporting required in this permit, shall be submitted in a timely manner as directed in the Title V Periodic Reporting Schedule and the Title V Compliance Certification Reporting Schedule of this permit. All required reports must be certified by a responsible official consistent with S.C. Regulation 61-62.70.5.d.
L.2	All reports and notifications required under this permit shall be submitted to the person indicated in the specific condition at the following address: 2600 Bull Street Columbia, SC 29201 The contact information for the local EQC Regional office can be found at: http://www.scdhec.gov
L.3	Unless elsewhere specified within this permit, all reports required under this permit shall be submitted to the Manager of the Technical Management Section, Bureau of Air Quality.
L.4	All Title V Annual Compliance Certifications shall be sent to the US EPA, Region 4, Air Enforcement Branch and to the Manager of the Technical Management Section, Bureau of Air Quality. US EPA, Region 4 Air Enforcement Branch 61 Forsyth Street SW Atlanta, GA 30303

Union Renewable Energy Facility
TV-2180-0044
Page 12 of 16

L. TITLE V RECORD KEEPING AND REPORTING REQUIREMENTS

Condition Number	Condition
L.5	<p>(S.C. Regulation 61-62.70.6.a.3.ii) The owner or operator shall comply, where applicable, with the following monitoring/support information collection and retention record keeping requirements:</p> <ol style="list-style-type: none"> 1. Records of required monitoring information shall include the following: <ol style="list-style-type: none"> a. The date, place as defined in the permit, and time of sampling or measurements; b. The date(s) analyses were performed; c. The company or entity that performed the analyses; d. The analytical techniques or methods used; e. The results of such analyses; and f. The operating conditions as existing at the time of sampling or measurement; 2. Records of all required monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
L.6	<p>In accordance with S.C. Regulation 61-62.1, Section II.J, for sources not required to have continuous emissions monitors, any malfunction of air pollution control equipment or system, process upset or other equipment failure which results in discharges of air contaminants lasting for one hour or more and which are greater than those discharges described for normal operation in the permit application shall be reported to the Department's local Environmental Quality Control (EQC) Regional office within twenty-four (24) hours after the beginning of the occurrence.</p> <p>The owner or operator shall also submit a written report within thirty (30) days of the occurrence. This report shall be submitted to the Manager of the Technical Management Section, Bureau of Air Quality (BAQ) and shall include, at a minimum, the following:</p> <ol style="list-style-type: none"> 1. The identity of the stack and/or emission point where the excess emissions occurred; 2. The magnitude of excess emissions expressed in the units of the applicable emission limitation and the operating data and calculations used in determining the excess emissions; 3. The time and duration of excess emissions; 4. The identity of the equipment causing the excess emissions; 5. The nature and cause of such excess emissions; 6. The steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunction; 7. The steps taken to limit the excess emissions; and, 8. Documentation that the air pollution control equipment, process equipment, or processes were at all times maintained and operated, to the maximum extent practicable, in a manner consistent with good practice for minimizing emissions.

Union Renewable Energy Facility

TV-2180-0044

Page 13 of 16

L. TITLE V RECORD KEEPING AND REPORTING REQUIREMENTS

Condition Number	Condition
L.7	<p>(S.C. Regulation 61-62.70.6.c.5.iii) The responsible official shall certify, annually, compliance with the conditions of this permit as required under S.C. Regulation 61-62.70.6.c. The compliance certification shall include the following:</p> <ol style="list-style-type: none">1. The identification of each term or condition of the permit that is the basis of the certification.2. The identification of the method(s) or means used by the owner or operator for determining the compliance status with each term and condition of the permit during the certification period.3. The status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means designated in S.C. Regulation 61-62.70.6.c.5.iii.B. The certification shall identify each deviation and take it into account in the compliance certification.4. Such other facts as the Department may require to determine the compliance status of the source.
L.8	<p>(S.C. Regulation 61-62.1, Section II.M) Within 30 days of the transfer of ownership/operation of a facility, the current permit holder and prospective new owner or operator shall submit to the Director of Engineering Services a written request for transfer of the source operating or construction permits. The written request for transfer of the source operating or construction permit shall include any changes pertaining to the facility name and mailing address; the name, mailing address, and telephone number of the owner or operator for the facility; and any proposed changes to the permitted activities of the source. Transfer of the operating or construction permits will be effective upon written approval by the Department.</p>

M. GENERAL FACILITY WIDE

Condition Number	Condition
M.1	The owner or operator shall comply with S.C. Regulation 61-62.2 "Prohibition of Open Burning."
M.2	The owner or operator shall comply with S.C. Regulation 61-62.3 "Air Pollution Episodes."
M.3	The owner or operator shall comply with S.C. Regulation 61-62.4 "Hazardous Air Pollution Conditions."
M.4	The owner or operator shall comply with S.C. Regulation 61-62.6 "Control of Fugitive Particulate Matter", Section III "Control of Fugitive Particulate Matter Statewide."
M.5	The owner or operator shall comply with the standards of performance for asbestos abatement operations pursuant to 40 CFR Part 61.145, including, but not limited to, requirements governing training, licensing, notification, work practice, cleanup, and disposal.
M.6	The owner or operator shall comply with the standards of performance for asbestos abatement operations pursuant to S.C. Regulation 61-86.1, including, but not limited to, requirements governing training, licensing, notification, work practice, cleanup, and disposal.

Union Renewable Energy Facility

TV-2180-0044

Page 14 of 16

M. GENERAL FACILITY WIDE

Condition Number	Condition
M.7	The owner or operator shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, Protection of Stratospheric Ozone, Recycling and Emissions Reduction, except as provided for motor vehicle air conditioners (MVACs) in Subpart B. If the owner or operator performs a service on motor (fleet) vehicles that involves ozone-depleting substance refrigerant in MVACs, the owner or operator is subject to all applicable requirements of 40 CFR Part 82, Subpart B, Servicing of MVACs.
M.8	(S.C. Regulation 61-62.70.6.a.5) The provisions of this permit are severable, and if any provision of this permit, or application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.
M.9	(S.C. Regulation 61-62.70.6.a.6.i) The owner or operator must comply with all of the conditions of this permit. Any permit noncompliance constitutes a violation of the S.C. Pollution Control Act and/or the Federal Clean Air Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of permit renewal application.
M.10	(S.C. Regulation 61-62.70.6.a.6.ii) It shall not be a defense for an owner or operator in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
M.11	(S.C. Regulation 61-62.70.6.a.6.iii) The permit may be modified, revoked, reopened and reissued, or terminated for cause by the Department. The filing of a request by the owner or operator for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
M.12	(S.C. Regulation 61-62.70.6.a.6.iv) The permit does not convey any property rights of any sort, or any exclusive privilege.
M.13	(S.C. Regulation 61-62.70.6.a.6.v) The owner or operator shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the owner or operator shall also furnish to the Department copies of records required to be kept by the permit or, for information claimed to be confidential, the owner or operator may furnish such records directly to the Administrator along with a claim of confidentiality. The Department may also request that the owner or operator furnish such records directly to the Administrator along with a claim of confidentiality.
M.14	(S.C. Regulation 61-62.70.6.a.8) No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
M.15	(S.C. Regulation 61-62.70.6.c.2) Upon presentation of credentials and other documents as may be required by law, the owner or operator shall allow the Department or an authorized representative to perform the following: <ol style="list-style-type: none">1. Enter upon the owner or operator's premises where a Part 70 source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit.

Union Renewable Energy Facility

TV-2180-0044

Page 15 of 16

M. GENERAL FACILITY WIDE

Condition Number	Condition
	<ol style="list-style-type: none">2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.3. Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.4. As authorized by the Act and/or the S.C. Pollution Control Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.
M.16	<p>(S.C. Regulation 61-62.70.6.g) In the case of an emergency, as defined in S.C. Regulation 61-62.70.6.g.1, the owner or operator shall demonstrate an affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:</p> <ol style="list-style-type: none">1. An emergency occurred and that the owner or operator can identify the cause(s) of the emergency;2. The permitted facility was at the time being properly operated; and3. During the period of the emergency the owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and4. The owner or operator shall submit verbal notification of the emergency to the Department within twenty-four (24) hours of the time when emission limitations were exceeded, followed by written notifications within thirty (30) days. This notice fulfills the requirement of S.C. Regulation 61-62.70.6.a.3.iii.B. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. <p>This provision is in addition to any emergency or upset provision contained in any applicable requirement. In any enforcement proceeding, the owner or operator seeking to establish the occurrence of an emergency has the burden of proof.</p>
M.17	<p>(S.C. Regulation 61-62.70.6.a.1.ii) Where an applicable requirement of the Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.</p>
M.18	<p>(S.C. Regulation 61-62.70.6.a.4) According to S.C. Regulation 61-62.70.6.a.4, the owner or operator is prohibited from emissions exceeding any allowances that the source lawfully holds under Title IV of the Act or the regulations promulgated thereunder. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program, provided that such increases do not require a permit revision under any other applicable requirement. No limit shall be placed on the number of allowances held by a source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement. Any such allowances shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Act.</p>
M.19	<p>(S.C. Regulation 61-62.70.7.c.1.ii) Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with S.C. Regulation 61-62.70.5.a.1.iii, 62.70.5.a.2.iv, and 62.70.7.b. In this case, the permit shall not expire until the renewal permit has been issued or denied. All terms and conditions of the permit including any permit shield</p>

Union Renewable Energy Facility
TV-2180-0044
Page 16 of 16

M. GENERAL FACILITY WIDE

Condition Number	Condition
	that may be granted pursuant to S.C. Regulation 61-62.70.6.f shall remain in effect until the renewal permit has been issued or denied.
M.20	Requests for permit modification and amendments shall be submitted on the appropriate Department approved Title V Modification Form(s).
M.21	(S.C. Regulation 61-62.70.6.a.7) The owners or operators of Part 70 sources shall pay fees to the Department consistent with the fee schedule approved pursuant to S.C. Regulation 61-62.70.9. Failure to pay applicable fee can be considered grounds for permit revocation.
M.22	<p>(S.C. Regulation 61-62.1, Section III) The owners or operators of Part 70 sources shall complete and submit a new updated emissions inventory consistent with the schedule approved pursuant to S.C. Regulation 61-62.1, Section III. These Emissions Inventory Reports shall be submitted to the Manager of the Emissions Inventory Section, Bureau of Air Quality.</p> <p>This requirement notwithstanding, an emissions inventory may be required at any time in order to determine the compliance status of any facility.</p>
M.23	This permit expressly incorporates insignificant activities. Emissions from these activities shall be included in the emissions inventory submittals as required by S.C. Regulation 61-62.1, Section III.B.2.g.

ATTACHMENT - Emission Rates for Ambient Air Standards

Union Renewable Energy Facility

TV-2180-0044

Page 1 of 2

The emission rates listed herein are not considered federally enforceable limitations but are used to evaluate ambient air quality impact. Until the Department makes a determination that a facility is causing or contributing to an exceedance of a state or federal ambient air quality standard, increases to these emission rates are not in themselves considered violations of these ambient air quality standards (see Ambient Air Standards Requirements).

AMBIENT AIR QUALITY STANDARDS - STANDARD NO. 2						
Emission Point ID	Emission Rates (lbs/hr)					
	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	Lead
ST01	0.71	0.71	0.60	6.18	20.86	--
ST02	0.71	0.71	0.60	6.18	20.86	--

TOXIC AIR POLLUTANTS - STANDARD NO. 8					
Emission Point ID	Emission Rates (lbs/hr)				
	Ethyl mercaptan 75-08-1	Formaldehyde 50-00-0	Hydrochloric Acid 7647-01-0	Hydrogen Sulfide 7783-06-4	Methyl Mercaptan 74-93-1
ST01	0.00181	2.06	0.14	0.043	0.00153
ST02	0.00181	2.06	0.14	0.043	0.00153

TOXIC AIR POLLUTANTS - STANDARD NO. 8					
Emission Point ID	Emission Rates (lbs/hr)				
	Acrylonitrile 107-13-1	1,1,2,2-Tetrachloro-ethane 79-34-5	Toluene 108-88-8	Vinyl Chloride 75-01-4	Benzene 71-43-2
ST01	0.00428	0.001195	0.04615	0.002945	1.90E-03
ST02	0.00428	0.001195	0.04615	0.002945	1.90E-03

TOXIC AIR POLLUTANTS - STANDARD NO. 8					
Emission Point ID	Emission Rates (lbs/hr)				
	Carbon disulfide 75-15-0	Carbon tetrachloride 56-23-5	Carbonyl sulfide 463-58-1	Chlorobenzene 108-90-7	Chloroform 67-66-3
ST01	5.63E-04	3.95E-06	3.75E-04	1.81E-04	2.30E-05
ST02	5.63E-04	3.95E-06	3.75E-04	1.81E-04	2.30E-05

ATTACHMENT - Emission Rates for Ambient Air Standards

Union Renewable Energy Facility

TV-2180-0044

Page 2 of 2

TOXIC AIR POLLUTANTS - STANDARD NO. 8					
Emission Point ID	Emission Rates (lbs/hr)				
	Dichlorobenzene 106-46-7	Chloroethane 75-00-3	Ethylbenzene 100-41-4	Ethylene dibromide 106-93-4	1,2-dichloroethane 107-06-2
ST01	1.98E-04	5.18E-04	6.24E-03	1.21E-06	2.60E-04
ST02	1.98E-04	5.18E-04	6.24E-03	1.21E-06	2.60E-04

TOXIC AIR POLLUTANTS - STANDARD NO. 8					
Emission Point ID	Emission Rates (lbs/hr)				
	1,1-dichloroethane 75-34-3	Hexane 110-54-3	Mercury 7439-97-6	Chloromethane 74-87-3	1,1,1-trichloroethane 71-55-6
ST01	1.49E-03	7.22E-03	5.37E-06	3.92E-04	4.11E-04
ST02	1.49E-03	7.22E-03	5.37E-06	3.92E-04	4.11E-04

TOXIC AIR POLLUTANTS - STANDARD NO. 8					
Emission Point ID	Emission Rates (lbs/hr)				
	Methyl ethyl ketone 78-93-3	Methyl isobutyl ketone 108-10-1	Dichloromethane 75-09-2	Perchloroethylene 127-18-4	1,2-dichloropropane 78-87-5
ST01	6.52E-03	2.39E-03	7.80E-03	3.97E-03	1.31E-04
ST02	6.52E-03	2.39E-03	7.80E-03	3.97E-03	1.31E-04

TOXIC AIR POLLUTANTS - STANDARD NO. 8					
Emission Point ID	Emission Rates (lbs/hr)				
	Trichloroethylene 79-01-6	1,1-dichloroethene 75-35-4	Xylenes 1330-20-7	--	--
ST01	2.38E-03	1.24E-04	1.64E-02	--	--
ST02	2.38E-03	1.24E-04	1.64E-02	--	--

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 1 OF 12

The following contains the Federal and South Carolina air pollution regulations and their applicability, as specified in the Part 70 permit application.

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
SC Regulation 61-62.1	Definitions and General Requirements	Yes
SC Regulation 61-62.2	Prohibition of Open Burning	Yes
SC Regulation 61-62.3	Air Pollution Episodes	Yes
SC Regulation 61-62.4	Hazardous Air Pollution Conditions	Yes
SC Regulation 61-62.5, Std. No. 1	Emissions from Fuel Burning Operations	No
SC Regulation 61-62.5, Std. No. 2	Ambient Air Quality Standards	Yes
SC Regulation 61-62.5, Std. No. 3	Waste Combustion and Reduction	No
SC Regulation 61-62.5, Std. No. 3.1	Hospital, Medical, Infectious Waste Incinerators (HMIWI)	No
SC Regulation 61-62.5, Std. No. 4	Emissions from Process Industries	No
SC Regulation 61-62.5, Std. No. 5	Volatile Organic Compounds	No
SC Regulation 61-62.5, Std. No. 5.2	Control of Oxides of Nitrogen	Yes
SC Regulation 61-62.5, Std. No. 7	Prevention of Significant Deterioration	No
SC Regulation 61-62.5, Std. No. 8	Toxic Air Pollutants	Yes
SC Regulation 61-62.6	Control of Fugitive Particulate Matter	No
SC Regulation 61-62.7	Good Engineering Practice Stack Height	No
SC Regulation 61-62.60	SC Designated Facility Plan and NSPS (See 40 CFR Below)	No
SC Regulation 61-62.68	Chemical Accident Prevention Provisions	No
SC Regulation 61-62.70	Title V Operating Permit Program	Yes
SC Regulation 61-62.72	Acid Rain	No
SC Regulation 61-62.96	NOx Budget Trading Program	No
SC Regulation 61-62.99	NOx Budget Trading Program Requirements for Stationary Sources Not in the Trading Program	No
40 CFR 60 subpart A	General Provisions	Yes
40 CFR 60 subpart B	Adoption and Submittal of State Plans for Designated Facilities	No
40 CFR 60 subpart C	Emission Guidelines and Compliance Times	No
40 CFR 60 subpart Cb	Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors that are Constructed on or Before September 20, 1994	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 2 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 60 subpart Cc	Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills	No
40 CFR 60 subpart Cd	Emissions Guidelines and Compliance Times for Sulfuric Acid Production Units	No
40 CFR 60 subpart Ce	Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators	No
40 CFR 60 subpart D	Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971	No
40 CFR 60 subpart Da	Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978	No
40 CFR 60 subpart Db	Industrial-Commercial-Institutional Steam Generating Units	No
40 CFR 60 subpart Dc	Small Industrial-Commercial-Institutional Steam Generating Units	No
40 CFR 60 subpart E	Incinerators	No
40 CFR 60 subpart Ea	Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and on or Before September 20, 1994	No
40 CFR 60 subpart Eb	Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996	No
40 CFR 60 subpart Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	No
40 CFR 60 subpart F	Portland Cement Plants	No
40 CFR 60 subpart G	Nitric Acid Plants	No
40 CFR 60 subpart H	Sulfuric Acid Plants	No
40 CFR 60 subpart I	Hot Mix Asphalt Facilities	No
40 CFR 60 subpart J	Petroleum Refineries	No
40 CFR 60 subpart Ja	Petroleum Refineries for Which Construction , reconstruction, or Modification Commenced After May 14, 2007	No
40 CFR 60 subpart K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 3 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 60 subpart Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	No
40 CFR 60 subpart Kb	Volatile Organic Liquid Storage Vessels for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	No
40 CFR 60 subpart L	Secondary Lead Smelters	No
40 CFR 60 subpart M	Secondary Brass and Bronze Production Plants	No
40 CFR 60 subpart N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	No
40 CFR 60 subpart Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	No
40 CFR 60 subpart O	Sewage Treatment Plants	No
40 CFR 60 subpart P	Primary Copper Smelters	No
40 CFR 60 subpart Q	Primary Zinc Smelters	No
40 CFR 60 subpart R	Primary Lead Smelters	No
40 CFR 60 subpart S	Primary Aluminum Reduction Plants	No
40 CFR 60 subpart T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	No
40 CFR 60 subpart U	Phosphate Fertilizer Industry: Super Phosphoric Acid Plants	No
40 CFR 60 subpart V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	No
40 CFR 60 subpart W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	No
40 CFR 60 subpart X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	No
40 CFR 60 subpart Y	Coal Preparation Plants	No
40 CFR 60 subpart Z	Ferroalloy Production Facilities	No
40 CFR 60 subpart AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and on or Before August 17, 1983	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 4 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 60 subpart AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	No
40 CFR 60 subpart BB	Kraft Pulp Mills	No
40 CFR 60 subpart CC	Glass Manufacturing Plants	No
40 CFR 60 subpart DD	Grain Elevators	No
40 CFR 60 subpart EE	Surface Coating of Metal Furniture	No
40 CFR 60 subpart GG	Stationary Gas Turbines	No
40 CFR 60 subpart HH	Lime Manufacturing Plants	No
40 CFR 60 subpart KK	Lead-Acid Battery Manufacturing Plants	No
40 CFR 60 subpart LL	Metallic Mineral Processing Plants	No
40 CFR 60 subpart MM	Automobile and Light Duty Truck Surface Coating Operations	No
40 CFR 60 subpart NN	Phosphate Rock Plants	No
40 CFR 60 subpart PP	Ammonium Sulfate Manufacture	No
40 CFR 60 subpart QQ	Graphic Arts Industry: Publication Rotogravure Printing	No
40 CFR 60 subpart RR	Pressure Sensitive HAPe and Label Surface Coating Operations	No
40 CFR 60 subpart SS	Industrial Surface Coating: Large Appliances	No
40 CFR 60 subpart TT	Metal Coil Surface Coating	No
40 CFR 60 subpart UU	Asphalt Processing and Asphalt Roofing Manufacture	No
40 CFR 60 subpart VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Mfg. Industry	No
40 CFR 60 subpart VVa	Equipment Leaks of VOC in the Synthetic Organic Chemicals Mfg. Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	No
40 CFR 60 subpart WW	Beverage Can Surface Coating Industry	No
40 CFR 60 subpart XX	Bulk Gasoline Terminals	No
40 CFR 60 subpart AAA	New Residential Wood Heaters	No
40 CFR 60 subpart BBB	Rubber Tire Manufacturing Industry	No
40 CFR 60 subpart DDD	Volatile Organic Compound Emissions from the Polymer Manufacturing Industry	No
40 CFR 60 subpart FFF	Flexible Vinyl and Urethane Coating and Printing	No
40 CFR 60 subpart GGG	Equipment Leaks of VOC in Petroleum Refineries	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 5 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 60 subpart GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	No
40 CFR 60 subpart HHH	Synthetic Fiber Production Facilities	No
40 CFR 60 subpart III	Volatile Organic Compound Emissions from the Synthetic Organic Chemical Manufacturing Industry Air Oxidation Unit Processes	No
40 CFR 60 subpart JJJ	Petroleum Dry Cleaners	No
40 CFR 60 subpart KKK	Equipment Leaks of VOC from Onshore Natural Gas Processing Plants	No
40 CFR 60 subpart LLL	Onshore Natural Gas Processing: SO ₂ Emissions	No
40 CFR 60 subpart NNN	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry Distillation Operations	No
40 CFR 60 subpart OOO	Nonmetallic Mineral Processing Plants	No
40 CFR 60 subpart PPP	Wool Fiberglass Insulation Manufacturing Plants	No
40 CFR 60 subpart QQQ	VOC Emissions from Petroleum Refinery Wastewater Systems	No
40 CFR 60 subpart RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry Reactor Processes	No
40 CFR 60 subpart SSS	Magnetic HAPe Coating Facilities	No
40 CFR 60 subpart TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	No
40 CFR 60 subpart UUU	Calciners and Dryers in Mineral Industries	No
40 CFR 60 subpart VVV	Polymeric Coating of Supporting Substrates Facilities	No
40 CFR 60 subpart WWW	Municipal Solid Waste Landfills	No
40 CFR 60 subpart AAAA	Small Municipal Waste Combustion Units After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001	No
40 CFR 60 subpart BBBB	Emission Guidelines and Compliance Times for Small Municipal Waste Constructed on or Before August 30, 1999	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 6 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 60 subpart CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced After November 30, 1999 or for Which Modification or Reconstruction is Commenced on or After June 1, 2001	No
40 CFR 60 subpart DDDD	Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999	No
40 CFR 60 subpart EEEE	Other Solid Waste Incineration Units or for Which Modification or Reconstruction is Commenced on or After June 16, 2006	No
40 CFR 60 subpart FFFF	Other Solid Waste Incineration Units or for Which Modification or Reconstruction is Commenced on or After December 9, 2004	No
40 CFR 60 subpart HHHH	Coal-Fired Electric Steam Generating Units	No
40 CFR 60 subpart IIII	Stationary Compression Ignition Internal Combustion Engines	No
40 CFR 60 subpart JJJJ	Stationary Spark Ignition Internal Combustion Engines	YES
40 CFR 60 subpart KKKK	Stationary Combustion Turbines	No
40 CFR 61 subpart A	General Provisions	No
40 CFR 61 subpart B	Radon Emissions from Underground Uranium Mines	No
40 CFR 61 subpart C	Beryllium	No
40 CFR 61 subpart D	Beryllium Rocket Motor Firing	No
40 CFR 61 subpart E	Mercury	No
40 CFR 61 subpart F	Vinyl chloride	No
40 CFR 61 subpart H	Radionuclides Other Than Radon From Department of Energy Facilities	No
40 CFR 61 subpart I	Radionuclide Emissions From Facilities Licensed by the Nuclear Regulatory Commission and Federal Facilities Not covered by Subpart H	No
40 CFR 61 subpart J	Equipment Leaks (Fugitive Emission Source) of Benzene	No
40 CFR 61 subpart K	Elemental Phosphorus	No
40 CFR 61 subpart L	Benzene Emissions From Coke By-Product Recovery Plants	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 7 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 61 subpart M	Asbestos	No
40 CFR 61 subpart N	Inorganic Arsenic Emissions From Glass Manufacturing Plants	No
40 CFR 61 subpart O	Inorganic Arsenic Emissions From Primary Copper Smelters	No
40 CFR 61 subpart P	Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities	No
40 CFR 61 subpart Q	Radon Emissions From Department of Energy Facilities	No
40 CFR 61 subpart R	Radon Emissions From Phosphogypsum Stacks	No
40 CFR 61 subpart T	Radon Emissions From the Disposal of Uranium Mill Tailings	No
40 CFR 61 subpart V	Equipment Leaks (Fugitive Emission Sources)	No
40 CFR 61 subpart W	Radon Emissions From Operating Mill Tailings	No
40 CFR 61 subpart Y	Benzene Emissions From Benzene Storage Vessels	No
40 CFR 61 subpart BB	Benzene Emissions From Benzene Transfer Operations	No
40 CFR 61 subpart FF	Benzene Waste Operations	No
40 CFR 63 subpart A	General Provisions	YES
40 CFR 63 subpart B	Requirements for Control Technology Determinations for Major Sources	No
40 CFR 63 subpart C	De-Listings	No
40 CFR 63 subpart D	Compliance Extensions for Early Reduction Sources	No
40 CFR 63 subpart E	Approval of State Programs and Delegation of Authority	No
40 CFR 63 subpart F	Synthetic Organic Chemical Manufacturing Industry, HON	No
40 CFR 63 subpart F	Tetrahydrobenzaldehyde Manufacture (Formerly Butadiene Dimers Production)	No
40 CFR 63 subpart G	Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater, HON	No
40 CFR 63 subpart H	Synthetic Organic Chemical Manufacturing Industry for Equipment Leaks, HON	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 8 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 63 subpart I	Synthetic Organic Chemical Manufacturing Industry for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks, HON	No
40 CFR 63 subpart J	Polyvinyl Chloride and Copolymers Production	No
40 CFR 63 subpart L	Coke Ovens	No
40 CFR 63 subpart M	Dry Cleaning	No
40 CFR 63 subpart N	Chrome Electroplating	No
40 CFR 63 subpart O	Ethylene Oxide Commercial Sterilization Facilities	No
40 CFR 63 subpart Q	Industrial Process Cooling Towers	No
40 CFR 63 subpart R	Gasoline Distribution (Bulk Gasoline Terminals and Pipeline Breakout Stations), Stage I	No
40 CFR 63 subpart S	Pulp and Paper Cluster Rule	No
40 CFR 63 subpart T	Degreasing Organic Cleaners (Halogenated Solvent Cleaning)	No
40 CFR 63 subpart U	Polymers and Resins Group I	No
40 CFR 63 subpart W	Polymers and Resins Group II, Epoxy Resins Production and Non-Nylon Polyamides Production	No
40 CFR 63 subpart X	Secondary Lead Smelting	No
40 CFR 63 subpart Y	Marine Vessel Unloading Operations	No
40 CFR 63 subpart AA	Phosphoric Acid Manufacturing Plants	No
40 CFR 63 subpart BB	Phosphate Fertilizers	No
40 CFR 63 subpart CC	Petroleum Refineries	No
40 CFR 63 subpart DD	Off-Site Waste and Recovery Operations	No
40 CFR 63 subpart EE	Magnetic HAPe Manufacturing	No
40 CFR 63 subpart FF	Benzene Waste Operations	No
40 CFR 63 subpart GG	Aerospace Manufacturing and Rework Facilities	No
40 CFR 63 subpart HH	Oil and Gas Production Facilities	No
40 CFR 63 subpart II	Shipbuilding and Ship repair Facilities (Coating Operations)	No
40 CFR 63 subpart JJ	Wood Furniture Manufacturing Operations	No
40 CFR 63 subpart KK	Printing and Publishing	No
40 CFR 63 subpart LL	Primary Aluminum Reduction Plants	No
40 CFR 63 subpart MM	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills	No
40 CFR 63 subpart OO	Tanks- Level 1	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 9 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 63 subpart WW	Tanks - Level 2	No
40 CFR 63 subpart PP	Containers	No
40 CFR 63 subpart QQ	Surface Impoundments QQ	No
40 CFR 63 subpart RR	Individual Drain Systems	No
40 CFR 63 subpart SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or Process	No
40 CFR 63 subpart TT	Equipment Leaks-Control Level 1	No
40 CFR 63 subpart UU	Equipment Leaks-Control Level 2	No
40 CFR 63 subpart VV	Oil-Water Separators and Organic-Water Separators	No
40 CFR 63 subpart YY	Generic Maximum Achievable Control Technology (MACT) Standards	No
40 CFR 63 subpart CCC	Steel Pickling Facilities	No
40 CFR 63 subpart DDD	Mineral Wool Production	No
40 CFR 63 subpart EEE	Hazardous Waste Combustors	No
40 CFR 63 subpart GGG	Pharmaceuticals Production	No
40 CFR 63 subpart HHH	Natural Gas Transmission and Storage Facilities	No
40 CFR 63 subpart III	Flexible Polyurethane Foam Production	No
40 CFR 63 subpart JJJ	Polymers and Resins Group IV	No
40 CFR 63 subpart LLL	Portland Cement Manufacturing	No
40 CFR 63 subpart MMM	Pesticide Active Ingredients Production	No
40 CFR 63 subpart NNN	Wool Fiberglass Production	No
40 CFR 63 subpart OOO	Manufacture of Amino/Phenolic Resins	No
40 CFR 63 subpart PPP	Polyether Polyols Production	No
40 CFR 63 subpart QQQ	Primary Copper	No
40 CFR 63 subpart RRR	Secondary Aluminum Production	No
40 CFR 63 subpart TTT	Primary Lead Smelting	No
40 CFR 63 subpart UUU	Petroleum Refineries (catalytic cracking, catalytic reforming and sulfur plant units)	No
40 CFR 63 subpart VVV	Publicly Owned Treatment Works	No
40 CFR 63 subpart XXX	Ferroalloy Production	No
40 CFR 63 subpart AAAA	Municipal Solid Waste (MSW) Landfills	No
40 CFR 63 subpart CCCC	Manufacturing of Nutritional Yeast	No
40 CFR 63 subpart DDDD	Plywood and Composite Wood Products	No
40 CFR 63 subpart EEEE	Organic Liquids Distribution (non-gasoline)	No
40 CFR 63 subpart FFFF	Misc. Organic Chemical Manufacturing (MON)	No
40 CFR 63 subpart GGGG	Solvent Extraction for Vegetable Oil Production	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 10 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 63 subpart HHHH	Wetted Formed Fiberglass Mat Production	No
40 CFR 63 subpart IIII	Automobile and Light Duty Trucks (surface coating)	No
40 CFR 63 subpart JJJJ	Paper & Other Web Coatings (paper, plastic, film, foil, etc.)	No
40 CFR 63 subpart KKKK	Metal Cans (Surface Coating)	No
40 CFR 63 subpart MMMM	Misc. Metal Parts and Products (Surface Coating)	No
40 CFR 63 subpart NNNN	Large Appliance (surface coating)	No
40 CFR 63 subpart OOOO	Fabric Printing, Coating and Dyeing	No
40 CFR 63 subpart PPPP	Plastic Parts and Products (Surface Coating)	No
40 CFR 63 subpart QQQQ	Wood Building Products (surface coating)	No
40 CFR 63 subpart RRRR	Metal Furniture (surface coating)	No
40 CFR 63 subpart SSSS	Metal Coil (surface coating)	No
40 CFR 63 subpart TTTT	Leather Finishing Operations	No
40 CFR 63 subpart UUUU	Cellulose Production Manufacturing	No
40 CFR 63 subpart VVVV	Boat Manufacturing	No
40 CFR 63 subpart WWWW	Reinforced Plastics Composites Production	No
40 CFR 63 subpart XXXX	Tire Manufacturing	No
40 CFR 63 subpart YYYY	Combustion Turbines	No
40 CFR 63 subpart ZZZZ	Reciprocating Internal Combustion Engines (RICE)	YES
40 CFR 63 subpart AAAAA	Lime Manufacturing	No
40 CFR 63 subpart BBBBB	Semiconductor Manufacturing	No
40 CFR 63 subpart CCCCC	Coke Ovens: Pushing, Quenching and Battery Stacks	No
40 CFR 63 subpart DDDDD	Industrial, Commercial, and Institutional Boilers and Process Heaters	No
40 CFR 63 subpart EEEEE	Iron and Steel Foundries	No
40 CFR 63 subpart FFFFF	Integrated Iron and Steel	No
40 CFR 63 subpart GGGGG	Site Remediation	No
40 CFR 63 subpart HHHHH	Misc. Coating Manufacturing	No
40 CFR 63 subpart IIIII	Mercury Cell Chlor-Alkali Plants	No
40 CFR 63 subpart JJJJJ	Brick and Structural Clay Products Manufacturing	No
40 CFR 63 subpart KKKKK	Clay Ceramic Manufacturing vacated	No
40 CFR 63 subpart LLLLL	Asphalt Roofing and Asphalt Processing vacated	No
40 CFR 63 subpart MMMMM	Flexible Polyurethane Foam Fabrication Operation	No
40 CFR 63 subpart NNNNN	Hydrochloric Acid Production and Fumed Silica Production	No
40 CFR 63 subpart PPPPP	Engine Test Cells/Standards	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 11 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 63 subpart QQQQQ	Friction Materials Manufacturing	No
40 CFR 63 subpart RRRRR	Taconite Iron Ore Processing	No
40 CFR 63 subpart SSSSS	Refractory Products Manufacturing	No
40 CFR 63 subpart TTTTT	Primary Magnesium RefiningPrimary Magnesium Refining	No
40 CFR 63 subpart WWWWW	Hospital Ethylene Oxide Sterilizers	No
40 CFR 63 subpart YYYYY	Area Sources: Electric Arc Furnace Steelmaking Facilities	No
40 CFR 63 subpart ZZZZZ	Area Sources: Iron and Steel Foundries	No
40 CFR 63 subpart BBBBBB	Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities	No
40 CFR 63 subpart CCCCCC	Gasoline Dispensing Facilities	No
40 CFR 63 subpart DDDDDD	Polyvinyl Chloride and Copolymers Production Area Sources	No
40 CFR 63 subpart EEEEEEE	Primary Copper Smelting Area Sources	No
40 CFR 63 subpart FFFFFFF	Secondary Copper Smelting Area Sources	No
40 CFR 63 subpart GGGGGG	Primary Nonferrous Metals Processing Area Sources	No
40 CFR 63 subpart HHHHHH	Paint Stripping & Miscellaneous Surface Coating Operations at Area Sources	No
40 CFR 63 subpart LLLLLL	Acrylic and Modacrylic Fibers Production Area Sources	No
40 CFR 63 subpart MMMMMM	Carbon Black Production Area Sources	No
40 CFR 63 subpart NNNNNN	Chromium Compound Chemical Manufacturing Area Sources	No
40 CFR 63 subpart OOOOOO	Flexible Polyurethane Foam Production & Fabrication Area Sources	No
40 CFR 63 subpart PPPPPP	Lead Acid Battery Manufacturing Area Sources	No
40 CFR 63 subpart QQQQQQ	Wood Preserving Area Sources	No
40 CFR 63 subpart RRRRRR	Clay Ceramics Manufacturing Area Sources	No
40 CFR 63 subpart SSSSSS	Glass Manufacturing Area Sources	No
40 CFR 63 subpart TTTTTT	Secondary Nonferrous Metals Processing Area Sources	No
40 CFR 63 subpart VVVVVV	Chemical Manufacturing Area Sources	No
40 CFR 63 subpart WWWWWW	Plating and Polishing Area Sources	No
40 CFR 63 subpart XXXXXX	Nine Metal Fabrication and Finishing Source Categories	No

Attachment - Applicable and Non-Applicable Federal and State Regulations

Union Renewable Energy Facility TV-2180-0044

PAGE 12 OF 12

APPLICABILITY DETERMINATION		
Citation	Regulation	Applicable (Yes / No)
40 CFR 63 subpart YYYYYY	Ferroyalloys Production Facilities Area Sources	No
40 CFR 63 subpart ZZZZZZ	Aluminum, Copper, and Other Nonferrous Foundries	No
40 CFR 63 subpart AAAAAAA	Asphalt Processing and Asphalt Roofing Manufacturing	No
40 CFR 63 subpart BBBBBB	Chemical Preparations Industry Area Sources	No
40 CFR 63 subpart CCCCCC	Paints and Allied Products Manufacturing	No
40 CFR 63 subpart DDDDDDD	Prepared feeds Manufacturing Area Sources	No
40 CFR 64	Compliance Assurance Monitoring	No
40 CFR 68	Risk Management Programs Under Section 112(r)	No